

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,)	
)	
v.)	Criminal Docket No.
)	CR-05-0192 (JBW)
)	
LOUIS EPPOLITO,)	
)	
Defendant,)	
)	
and)	
)	
NEW YORK CITY POLICE PENSION FUND,)	
)	
Garnishee.)	

WRIT OF CONTINUING GARNISHMENT

GREETINGS TO: New York City Police Pension Fund
Garnishee
233 Broadway, 19th Fl.
New York, NY 10279

This Writ of Continuing Garnishment is issued, pursuant to the filing of an Application for a Writ of Continuing Garnishment by the United States, against property, including nonexempt disposable earnings, in which the Defendant-Judgment Debtor ("Debtor") LOUIS EPPOLITO has a substantial nonexempt interest, including nonexempt disposable earnings, in order to satisfy the judgment, in the amount of \$4,250,400.00, plus interest, entered in United States v. Louis Eppolito CR-05-0192 (E.D.N.Y.).

The sum of \$300.00 has been credited toward the judgment, leaving a total balance due of \$4,868,181.20, including interest as of December 14, 2012. Interest is continuing to

accrue.

Debtor's last known address is: USP-Tucson, 9300 S. Wilmot Road, Tucson, AZ 85706

The Garnishee, NEW YORK CITY POLICE PENSION FUND, is required to serve a written answer within ten (10) days of service of the Writ of Continuing Garnishment.

In its answer, the Garnishee must provide the following under oath:

a. Whether the Garnishee has in its possession, custody or control any property of the Debtor, including non-exempt, disposable earnings;

b. A description of such property and the value of such interest;

c. A description of any previous garnishments to which such property is subject and the extent to which any remaining property is not exempt; and

d. The amount of the debt or other payments the Garnishee anticipates owing or paying to the Debtor in the future and whether the period for payment will be weekly or another specified period.

The Garnishee must file the original written answer to this writ within ten (10) days of receipt of this writ with Clerk of the Court at the following address:

Clerk of the Court
Eastern District of New York
United States Courthouse
225 Cadman Plaza East, Rm. 130
Brooklyn, NY 11201

The Garnishee is further required to serve a copy of
this answer upon the following:

Louis Eppolito
USP-Tucson
9300 S. Wilmot Road
Tucson, AZ 85706

and

Beth P. Schwartz
Assistant U.S. Attorney
United States Attorney's Office
Attorney for the United States
271 Cadman Plaza East
Brooklyn, New York 11201.

In accordance with the Writ of Continuing Garnishment,
the Garnishee is further required to withhold and retain, pending
further order of the court, any property, including nonexempt
disposable earnings, in which the Debtor has a substantial non-
exempt interest and for which the Garnishee may become indebted
to the Debtor.

Under the law, certain property may be exempt from this
Writ of Continuing Garnishment. Property which may be exempt and
may not be subject to this order is listed on the attached Claim
for Exemption form.

**IF THE GARNISHEE FAILS TO ANSWER THE WRIT OF CONTINUING
GARNISHMENT OR WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT, THE
UNITED STATES MAY PETITION THE COURT FOR AN ORDER REQUIRING THAT**

THE GARNISHEE APPEAR BEFORE THE COURT TO ANSWER THE WRIT AND TO SO WITHHOLD PROPERTY BEFORE THE APPEARANCE DATE. IF THE GARNISHEE FAILS TO APPEAR OR APPEARS AND FAILS TO SHOW GOOD CAUSE WHY THE GARNISHEE FAILED TO COMPLY WITH THE WRIT, THE COURT SHALL ENTER JUDGMENT AGAINST THE GARNISHEE FOR THE VALUE OF THE DEBTOR'S NONEXEMPT INTEREST IN SUCH PROPERTY (INCLUDING NON-EXEMPT DISPOSABLE EARNINGS). THE COURT MAY AWARD A REASONABLE ATTORNEY'S FEE TO THE UNITED STATES AND AGAINST THE GARNISHEE IF THE WRIT IS NOT ANSWERED WITHIN THE TIME SPECIFIED THEREIN AND A PETITION REQUIRING YOU TO APPEAR IS FILED AS PROVIDED HEREIN.

Pursuant to 15 U.S.C. §1674, the Garnishee is prohibited from discharging the Debtor from employment by reason of the fact that his earnings have been subject to garnishment for any one indebtedness.

It is unlawful to pay or deliver to the Debtor any item attached by this writ.

Dated: December , 2012

HONORABLE DOUGLAS C. PALMER
Clerk of the Court
United States District Court
Eastern District of New York

DEPUTY CLERK